## REMARKS

Claims 1-76 are pending in the application.

Claims 1-76 stand rejected.

Claims 23, 48 and 57 stands objected.

Claims 1, 20, 23, 39, 48, 57-58, 62, 65 and 74 have been amended.

### *Claim Objections*

Claims 23, 48 and 57 are objected to because of various informalities. Applicants thank the Examiner for his diligence in examining the present application. Applicant has amended claims 23, 48 and 57 to address the Examiner's concerns.

### *Rejection of Claims under 35 U.S.C. §103*

As an initial matter, while not conceding that any of the Examiner's cited references qualify as prior art, but instead to expedite prosecution, Applicants have chosen to traverse in part and overcome in part the Examiner's rejections as follows. The following arguments are made without prejudice to Applicants' right to establish, for example in a continuing application, that one or more of the cited references do not qualify as prior art with respect to an invention embodiment currently or subsequently claimed.

Claims 1, 11, 14, 20, 30, 33, 39, 49, 52, 58, 68 and 71 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fitzsimons, et al., U.S. Application No. 2004/0205452 A1 (Fitzsimons), further in view of Hamel, U.S. Application No. 2002/0007393 A1 (Hamel). Applicants respectfully traverse this rejection.

Applicants respectfully note that, as an initial matter, Fitzsimons is concerned with:

"... the automatic generation and association of templates for disparate

media outlets, device output platforms, and media formats that automatically

converts source data and formats, and generates composites in any desired output

format. Such an apparatus is advantageous because it allows for the ability to

transform a single data source into multiple output composites suitable for

deployment in disparate media outlets and on disparate output devices."

Applicants respectfully submit that Fitzsimons is thus concerned with simply converting

data from one format to another, such that the data can be properly presented in the desired

output format. Fitzsimons is not concerned with modifying and mapping a control to a template

associated with a Cartesian coordinate-based view, where the control is comprised in an applet of

a tag field-based view.

That Fitzsimons is concerned with data conversion is borne out by statements therein,

such as that at para. 75:

"The DCS will take the requested file identifier and load and check it 253

either by loading the data 201 from a file system or locating it in a

transformations library 219 in a content repository 201b, 201c, 119d with which

the DCT is disposed in communication. The DCT 221 examines the data 253 and

determines the type of data that is requested by the user. The DCT may determine

the data type by comparing the requested data against format structures 119a

contained within the transformations library; this may be accomplished as

discussed in co-pending applications entitled "Computer File Transfer System,"

Ser. Nos. 08/941,442 and 09/536,014. In a simple non-limiting example, the

requested data's file extension may be used to locate the proper transformation

254. For example, if the requested data is a Microsoft Word document, and the

current template is being constructed for web page viewing, i.e., in XML, the

DCT would query the transformations library 219 for a Microsoft Word to XML

transformation filter. It should be noted that in practice, the actual transformation

tables may be coded directly into the DCT rather than being located in a

transformations library employing standard data structures."

Thus, Fitzsimons is focussed on converting data from one format into another format.

Fitzsimons is unaware of any functionality associated with any of the data being converted.

In the claimed invention, by contrast, a control is modified and mapped to a template that

has been associated with a Cartesian coordinate-based view. This control is comprised in an

applet of a tag field-based view. The claimed invention thus migrates the functionality of the

control from the tag field-based view to the Cartesian coordinate-based view.

This deficiency of Fitzsimons is correctly noted in the Office Action, wherein it is noted

that Fitzsimons fails to disclose identifying an applet of the tag field-based view, wherein the

applet comprises a control (among other deficiencies of Fitzsimons, in fact). (Office Action,

paragraph 7, p. 3) However, the Office Action then states that Hamel discloses this identifying

an applet of the tag field-based view, wherein the applet comprises a control, citing claim 26 and para. 81.

First, Applicant is at a loss to understand how the cited portions of Hamel show, teach or suggest identifying any applet of a tag field-based view: Claim 26 recites:

26. A method of displaying content within a web browser operating at a client site and being used to view a web page located on a server accessible on the Internet, the method comprising the steps of:

a) executing a java based software applet within the browser, said java based software applet including an interactive tag associated with content located at a third party site, which content is not directly accessible to said java based software applet;

b) caching cookie files associated with said content located at said third party site at the server using a proxy program, which cookie files support click-through operations through a uniform resource locator (URL) associated with said content;

c) using said proxy program to monitor a click-through operation on said interactive tag to access said content;

d) requesting said content from the third party site using said proxy program;

wherein said cookie files cached at the server site allow said content to be downloaded to the web browser for display at the client site under control of said proxy program.

Serial No.: 09/955,361

while para. 81 states:

"A preferred embodiment of the first aspect of the Applicant's invention is shown in FIG. 2. Except where specifically noted, the components of system 200 identified by the same numerical identifiers as those in system 100 are the same. The primary difference introduced by the Applicant is the use of proxy 158 running on host 150, and an improved applet 132', which communicates with such proxy as explained below. Proxy 158 is a software routine configured to interact and coordinate between applet 132', host 150 and Ad Server 160. In this manner, an applet 132' running in the user's browser 110 can access ad content through a path consisting of link 180 to proxy 158, and link 185 between proxy 158 and Ad Server 160. This proxy 158 is unlike those in described the prior art in that, among other things: (1) it is specially configured to process ad content, which can be considerably more varied and complex than the simple numerical (quote) data used in such systems; (2) rather than being a passive entity with respect to such content, it can filter/tailor/request ad content in a proactive manner to be best suited for the applet in question."

The cited portions of Hamel are directed to presenting ad content to an applet. This fails to show teach or suggest the claimed identifying an applet of a tag field-based view, wherein the applet comprises a control. Specifically, Applicants are unable to discern in the cited portions of Hamel a disclosure of a "tag field-based view" or any specific mention of the applet comprising a "control", both as required by the independent claims in the present application. Applicants

believe the latter is the case as a result of the fact that the applet disclosed in Hamel is directed to displaying ad content, and any control/processing of such content is handled by proxy 158. Thus, Applicants respectfully submit that Hamel fails to remedy the infirmities of Fitzsimons.

Moreover, even if Hamel is taken to teach the claimed identifying (which Applicants maintain Hamel does not), the combination of Fitzsimons and Hamel fails to show, teach or suggest migrating a Cartesian coordinate-based view to a tag field-based view, as claimed in claims 1, 20, 39 and 58. No such migration is shown, taught or suggested by the combination of Fitzsimons and Hamel. This is because Fitzsimons is concerned with data conversion, while Hamel is concerned with the implementation of click-through advertising using ad proxy and proxy cookie caching. Neither is concerned with migrating a Cartesian coordinate-based view to a tag field-based view, particularly with regard to doing so with an applet that includes a control.

Were these references combined, the result would not only not be the claimed invention, but would not appear to even be operable. Fitzsimons describes a method and system for automatically associating page elements, and converting and transforming between disparate data and device format types. Hamel describes an improved proxy for allowing click-through on an ad URL delivered on a web page within an applet executing on a client machine. Thus, the combination of these references would seem to be an incongruous mixture of a conversion technique and a technique for serving ad content. Applicants are again at a loss as to how these references not only could be combined to provide the claimed invention, but could be combined at all.

The above observations also lead to the question as to whether one of skill in the art would have combined these references at the time of invention, in order to arrive at the claimed invention, in the first place. Applicants respectfully submit that such would not have been the

case, not only because the combination of these references would not have achieved the claimed invention (and indeed, not have achieved even a useful result), but Applicants are unable to identify in either reference any motivation whatsoever to combine their disclosures. Fitzsimons fails to identify a need for any new manner of ad content serving. Likewise, Hamel provides no indication that the ad content served, nor applets to which such content is served, have any need of conversion to any other format.

In this regard, the Office Action states that it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate an applet into Fitzsimons' view shift in order to facilitate the transmission of ad content. (para. 7, p. 3) First, this statement assumes that Fitzsimons' disclosure relates a "view shift" – Applicants are only able to identify Fitzsimons' data conversion capabilties, and, in fact, are unable to locate the term "view shift" in Fitzsimons' disclosure. Furthermore, Applicants respectfully submit that there is no teaching or motivation in either reference that would point to any particular advantage gained by combining these references.

Were the references combined, Hamel's delivery of ad content, in fact, would occur <u>after</u> any conversion performed by Fitzsimons. Hamel would add nothing to any data conversion performed by Fitzsimons, as actions performed by Hamel only affect the presentation of ad content in an existing web page. Fitzsimons is directed to converting existing content (e.g., a Word document) into a format suitable for display by the given output device. Thus, there is a temporal disconnect between the two techniques, for which neither reference provides a solution.

Accordingly, Applicants respectfully submit that each of independent claims 1, 20, 39 and 58 clearly distinguish over the cited references, taken alone or in permissible combination. Claims 11, 14, 30, 33, 49, 52, 68 and 71, which depend on independent claims 1, 20, 39 and 58,

Serial No.: 09/955,361

distinguish from the cited references for at least the same reasons as the independent claims from which they depend. Applicants therefore respectfully request withdrawal of the rejection based upon 35 U.S.C. §103(a).

Claims 2-4, 12, 13, 15, 16, 21-23, 31, 32, 34, 35, 40-42, 50, 51, 53, 54, 59-61, 69, 70, 72 and 73 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fitzsimons, et al., U.S. Application No. 2004/0205452 A1 (Fitzsimons), further in view of Hamel, U.S. Application No. 2002/0007393 A1 (Hamel), further in view of Eric Ladd, et al., *Using HTML 4, XML and Java 1.2*, 1999, Que, Platinum Edition, page 1004 (Ladd). Applicants respectfully traverse this rejection.

Given that the above rejection is based, in part, on the combination of Fitzsimons and Hamel, Applicants respectfully submit that the foregoing arguments provided with regard to claims 1, 11, 14, 20, 30, 33, 39, 49, 52, 58, 68 and 71 apply with equal force to claims 2-4, 12, 13, 15, 16, 21-23, 31, 32, 34, 35, 40-42, 50, 51, 53, 54, 59-61, 69, 70, 72 and 73, and so these claims are likewise allowable. Applicants further respectfully submit that the addition of Ladd does not remedy the deficiencies noted with regard to the combination of Fitzsimons and Hamel. Applicants therefore believe the above rejection to be overcome.

Claims 5, 24, 43 and 62 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fitzsimons, et al., U.S. Application No. 2004/0205452 A1 (Fitzsimons), further in view of Hamel, U.S. Application No. 2002/0007393 A1 (Hamel), further in view of Watters, U.S. Patent No. 5,897,645 (Watters). Applicants respectfully traverse this rejection.

Given that the above rejection is based, in part, on the combination of Fitzsimons and Hamel, Applicants respectfully submit that the foregoing arguments provided with regard to claims 1, 11, 14, 20, 30, 33, 39, 49, 52, 58, 68 and 71 apply with equal force to claims 5, 24, 43

and 62, and so these claims are likewise allowable. Applicants further respectfully submit that

the addition of Watters does not remedy the deficiencies noted with regard to the combination of

Fitzsimons and Hamel. Applicants therefore believe the above rejection to be overcome.

Claims 6, 7, 25, 26, 44, 45, 63 and 64 stand rejected under 35 U.S.C. §103(a) as being

unpatentable over Fitzsimons, et al., U.S. Application No. 2004/0205452 A1 (Fitzsimons),

further in view of Hamel, U.S. Application No. 2002/0007393 A1 (Hamel), further in view of

Watters, U.S. Patent No. 5,897,645 (Watters), further in view of Eric Ladd, et al., *Using HTML*

*4, XML and Java 1.2*, 1999, Que, Platinum Edition, page 1004 (Ladd). Applicants respectfully

traverse this rejection.

Given that the above rejection is based, in part, on the combination of Fitzsimons and

Hamel, Applicants respectfully submit that the foregoing arguments provided with regard to

claims 1, 11, 14, 20, 30, 33, 39, 49, 52, 58, 68 and 71 apply with equal force to claims 6, 7, 25,

26, 44, 45, 63 and 64, and so these claims are likewise allowable. Applicants further respectfully

submit that the addition of Watters and Ladd do not remedy the deficiencies noted with regard to

the combination of Fitzsimons and Hamel. Applicants therefore believe the above rejection to be

overcome.

Claims 8, 27, 46 and 65 stand rejected under 35 U.S.C. §103(a) as being unpatentable

over Fitzsimons, et al., U.S. Application No. 2004/0205452 A1 (Fitzsimons), further in view of

Hamel, U.S. Application No. 2002/0007393 A1 (Hamel), further in view of Kwong, et al., U.S.

Patent No. 6,289,506 B1 (Kwong). Applicants respectfully traverse this rejection.

Given that the above rejection is based, in part, on the combination of Fitzsimons and

Hamel, Applicants respectfully submit that the foregoing arguments provided with regard to

claims 1, 11, 14, 20, 30, 33, 39, 49, 52, 58, 68 and 71 apply with equal force to claims 8, 27, 46

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and 65, and so these claims are likewise allowable. Applicants further respectfully submit that

the addition of Kwong does not remedy the deficiencies noted with regard to the combination of

Fitzsimons and Hamel. Applicants therefore believe the above rejection to be overcome.

Claims 9, 10, 28, 29, 47, 48, 66 and 67 stand rejected under 35 U.S.C. §103(a) as being

unpatentable over Fitzsimons, et al., U.S. Application No. 2004/0205452 A1 (Fitzsimons),

further in view of Hamel, U.S. Application No. 2002/0007393 A1 (Hamel), further in view of

Kwong, et al., U.S. Patent No. 6,289,506 B1 (Kwong), further in view of Eric Ladd, et al., *Using

HTML 4, XML and Java 1.2*, 1999, Que, Platinum Edition, page 1004 (Ladd). Applicants

respectfully traverse this rejection.

Given that the above rejection is based, in part, on the combination of Fitzsimons and

Hamel, Applicants respectfully submit that the foregoing arguments provided with regard to

claims 1, 11, 14, 20, 30, 33, 39, 49, 52, 58, 68 and 71 apply with equal force to claims 9, 10, 28,

29, 47, 48, 66 and 67, and so these claims are likewise allowable. Applicants further respectfully

submit that the addition of Kwong and Ladd do not remedy the deficiencies noted with regard to

the combination of Fitzsimons and Hamel. Applicants therefore believe the above rejection to be

overcome.

Claims 17, 36, 55 and 74 stand rejected under 35 U.S.C. §103(a) as being unpatentable

over Fitzsimons, et al., U.S. Application No. 2004/0205452 A1 (Fitzsimons), further in view of

Hamel, U.S. Application No. 2002/0007393 A1 (Hamel), further in view of Orbanes, et al., U.S.

Application No. 2002/0075311 A1 (Orbanes). Applicants respectfully traverse this rejection.

Given that the above rejection is based, in part, on the combination of Fitzsimons and

Hamel, Applicants respectfully submit that the foregoing arguments provided with regard to

claims 1, 11, 14, 20, 30, 33, 39, 49, 52, 58, 68 and 71 apply with equal force to claims 17, 36, 55

Serial No.: 09/955,361

and 74, and so these claims are likewise allowable. Applicants further respectfully submit that the addition of Orbanes does not remedy the deficiencies noted with regard to the combination of Fitzsimons and Hamel. Applicants therefore believe the above rejection to be overcome.

Claims 18, 19, 37, 38, 56, 57, 75 and 76 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fitzsimons, et al., U.S. Application No. 2004/0205452 A1 (Fitzsimons), further in view of Hamel, U.S. Application No. 2002/0007393 A1 (Hamel), further in view of Orbanes, et al., U.S. Application No. 2002/0075311 A1 (Orbanes), further in view of Eric Ladd, et al., *Using HTML 4, XML and Java 1.2*, 1999, Que, Platinum Edition, page 1004 (Ladd). Applicants respectfully traverse this rejection.

Given that the above rejection is based, in part, on the combination of Fitzsimons and Hamel, Applicants respectfully submit that the foregoing arguments provided with regard to claims 1, 11, 14, 20, 30, 33, 39, 49, 52, 58, 68 and 71 apply with equal force to claims 18, 19, 37, 38, 56, 57, 75 and 76, and so these claims are likewise allowable. Applicants further respectfully submit that the addition of Orbanes and Ladd do not remedy the deficiencies noted with regard to the combination of Fitzsimons and Hamel. Applicants therefore believe the above rejection to be overcome.

Accordingly, Applicants respectfully submit that each of independent claims 1, 20, 39 and 58 clearly distinguish over the cited references, taken alone or in permissible combination. Claims 2-19, 21-38, 40-57 and 59-76, which depend on independent claims 1, 20, 39 and 58, distinguish from the cited references for at least the same reasons as the independent claims from which they depend. Applicants therefore respectfully request withdrawal of the rejection based upon 35 U.S.C. §103(a).
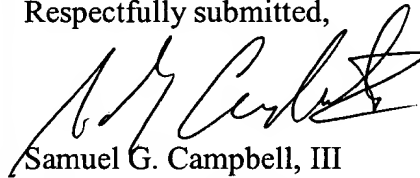
Serial No.: 09/955,361

## CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5084.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on **March 17, 2005**.

_____     3/17/05
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